

REMARKS

Claims 6-10 and 14 are amended; new claims 17-24 are added; and claims 1-5, 1-13, and 15-16 are canceled, without prejudice or disclaimer. Claims 6-10, 14, and 17-24 are pending.

The amendments to the specification, abstract, and claims, and the added new claims 17-24, are based on the application as originally filed, so it is respectfully submitted that no new matter has been added.

In the office action, claims 2, 8, and 13-14 were rejected under 35 U.S.C. § 112, second paragraph regarding insufficient antecedent basis of terms.

Claims 2 and 13 have been canceled, and claims 8 and 14 are amended to provide sufficient antecedent basis of terms. Accordingly, reconsideration and withdrawal of the rejection of claims 8 and 14 are respectfully requested.

In the office action, claims 1-4, 11-13, and 15-16 were rejected under 35 U.S.C. § 103(a) in view of U.S. Patent Number 3,535,529 to Love et al., and claims 1-2, 4, 13, and 15-16 were rejected under 35 U.S.C. § 103(a) in view of U.S. Patent Number 4,391,581 to Daman et al.

Claims 1-4, 11-13, and 15-16 are canceled, so reconsideration and withdrawal of the rejection of the canceled claims are respectfully requested.

In the office action, it is stated that claims 5-7 and 9-10 are objected to but would be allowable if rewritten in independent form, and claims 8 and 14 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph and to include all of the limitations of a base claim and any intervening claims.

Claim 5 is canceled, and new claim 17 is added which includes the allowable subject matter of claims 1 and 5, except for the recitation of a frusto-conical central orifice.

It is respectfully submitted that new claim 17 is patentable over the cited patents of Love and Daman, since neither Love or Daman disclose or suggest a burner including a discharge nozzle connected by each discharge end, the discharge nozzle including:

a head;

a cylindrical member coupled in the rear part of the head, the cylindrical member having:

a central orifice; and

at least one plurality of peripheral orifices formed in the periphery of the cylindrical member, the at least one plurality of peripheral orifices being formed transversely around the periphery of the cylindrical member to provide communication between the second connecting chamber and the central orifice of the discharge nozzle.

Accordingly, entry and favorable consideration of new claim 17 are respectfully requested.

Claims 6-10 and 14 have been amended to depend from new claim 17, and so include the recitation of new claim 17. Accordingly, for the reasons set forth above, amended claims 6-10 and 14 are also patentable over the cited art.

New claims 18-24 are added which correspond to original claims 5-10 and 14 being rewritten in independent form with sufficient antecedent basis for all terms, including claims 21 and 24 which correspond to original claims 8 and 14.

It is noted that claims 18-24 are not identical to new claim 17 and currently amended claims 6-10 and 14, respectively. In particular, new claim 18 recites a frusto-conical central orifice, while new claim 17 does not include such a recitation.

Therefore, since new claims 18-24 correspond to original claims 5-10 and 14 being rewritten in independent form, respectively, as per the office action, new claims 18-24 are allowable over the cited art, so entry and favorable consideration of new claims 18-24 are respectfully requested.

Accordingly, entry and approval of the present amendment and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



Anthony J. Natoli  
Registration number 36,223  
Attorney for applicants

Date: September 6, 2005

ABELMAN, FRAYNE & SCHWAB  
666 Third Ave., 10th Floor  
New York, NY 10017-5621  
(212) 949-9022